IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3286 OF 2004

Smt.Jayashri Vilasrao Jagtap .. Applicant.
Vs.
State of Maharashtra .. Respondent.

Mr.T.E.Mane for the applicant.
Mr.R.Y.Mirza APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 10TH AUGUST, 2004

P.C.:

. Heard Mr.Mane, learned counsel for the applicant and Mr.Mirza, learned A.P.P. for the respondent.

2. The crime has been registered against the applicant bearing C.R.No.24/2004 at Pandharpur Taluka police station under section 306, 498-A of Indian Penal Code. Deceased - Anita was the wife of the applicant's brother - Pramod R.Deshmukh. She got married 15 years prior to the occurence and she had one daughter - Poonam. She was 13 years old at the relevant time. The dead body of Anita was found in the well situate in their field. It is the prosecution case that the applicant wanted to arrange a marriage of her son with Poonam, to

which the deceased was not agreeable and on that account there used to be quarrel between the deceased and the applicant. It is alleged that the applicant subjected the deceased on that account to cruelty and harassment which ulitmately drove the deceased to commit suicide. There does not seem to be any dispute that the deceased and the applicant were staying separate. It has also come on record that on the date of occurence i.e. 12.7.2004 Tukaram, cousin brother of the complainant - Ravindra, had lodged complaint in which he had stated that the deceased fell in the well by accident. The FIR came to be lodged on 15.7.2004 by the brother of the deceased. Keeping that in view and considering the overall facts and circumstances of the case I am satisfied that the custodial interrogation of the applicant would not be necessary.

. The applicant is, therefore, directed to be enlarged on bail, in the event of her arrest in C.R.No.24/2004 registered with Pandharpur Taluka police station on her furnishing a personal bond of Rs.10,000/- with one or two sureties of the like amount to the satisfaction of the Station Officer of concerned police station, subject to condition

that she shall report report the Investigating Officer every alternate day between 10 am and 11 am for a period of 15 days commencing from 13.8.2004 and thereafter every Saturday between 10 am and 11 am for a period of two months for interrogation.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court will deal with the case uninfluenced by the observations made in this order.

. The application is disposed of.

(D.B.Bhosale, J.)